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THE CHINESE QUESTION.

SPEECH

OF

HON. WATSON C. SQUIRE,

OF WASHINGTON,

IN THE

SENATE OF THE UNITED STATES,

Monday, April 25, 1892.

WASHINGTON.
1892.

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The Senate being in Committee of the Whole, and having under consideration the bill (H. R. 6185) to absolutely prohibit the coming of Chinese persons into the United States—

Mr. SQUIRE said:

Mr. PRESIDENT: I desire to define my position as to this bill. I will first premise by referring briefly to my own convictions upon the general subject of the exclusion of the Chinese. When I first went to reside on the Pacific coast in 1879, like many another who has been educated in New York and New England, I was inclined to think there was too much prejudice against the Chinese, and perhaps persecution of them. I was inclined to take the humanitarian view and to believe that our country was so grand and so strong that it could safely withstand the friendly incursions of the people of China without danger to our civilization.

During my residence in the city of Seattle, between 1879 and 1884, I met a number of Chinese merchants who were engaged in legitimate business upon a somewhat extensive scale for the size of the place. I remember in particular the firm of Wa Chong as being one that was well thought of by the citizens of Seattle. The members of this firm owned their own real estate, and the city had let to them extensive contracts for street work which had been executed satisfactorily. I found the manager of this establishment to be an able and honorable business man; and by reason of meeting a few of this class of Chinese I had come to be very favorably disposed toward them.

I soon found, however, that there were a great many Chinese of a different order there, and on visiting the cities of Tacoma,

Olympia, Portland, and San Francisco, I ascertained from personal observation that a very large portion of the Chinese on the Pacific coast are of a kind whose presence is deleterious to the best interests of society.

In the years 1884, 1885, 1886, and 1887, I happened to occupy the position of governor of the Territory of Washington, and during that time I had occasion to investigate this subject officially, by reason of the strong hostile feeling then prevailing in all those cities and places in the vicinity of Puget Sound. During a part of this time there had been an unusual depression in business in that country as a result of the great business failures of 1873.

The work upon the railroads of that country had been to a large degree suspended, and many of the laboring class were without employment. A profound feeling of dissatisfaction and unrest prevailed among the masses, and hostility against the Chinese was developed to a remarkable degree. Public meetings were held, at which heated discussions prevailed. The Chinese were attacked and driven from the mines and their habitations destroyed. In another instance they were driven from the hop yards in Squak Valley, where they had been given work; their tents were burned and several of them were killed. At another time they were driven out of Tacoma by an organized body of citizens, which the sheriff of the county and his posse could not control, and their dwellings were burned.

An attempt was also made to drive them out of the city of Seattle, where I happened to be at the time, but in consequence of the vigorous measures adopted, including the employment of the militia of the Territory and the subsequent support of United States troops, this attempt was unsuccessful. The President sent a regiment of United States troops there under Gen. Gibbon, commanding the department, and these troops remained in Seattle for several months in order to prevent further trouble. Every effort was made by me in four of the large counties to protect the Chinese, as it was my duty to do; and I have been given to understand that the Chinese Government was satisfied with the action of the United States Government in its endeavor to carry out the spirit and the letter of the treaty.

These trying events led me to understand, as I had never done before, the intense feeling of antagonism that is seated in the breasts of the great body of our laboring people in reference to the Chinese.

In my official report to the Government, dated October 1, 1886, I stated as follows:

The fact is not to be disguised that the people of the Pacific coast, with very few exceptions, possess a spirit of hostility toward the Chinese residents, and although a large proportion of our citizens entertain feelings of loyalty and patriotism toward the Government, yet in several large towns they are inclined to be lenient to those who engage in acts hostile to the Chinese, and this fact makes it extremely difficult to secure convictions of this class of offenders against the law.

This feeling has been greatly aggravated by the fact that notwithstanding the terms of the so-called restriction act large numbers of Chinese have continued to cross the border from British Columbia in defiance of the law, and though appeals have been made to the Government to employ sufficient force in the customs department to prevent such unlawful incursions by Chinese, it has been found that with the limited customs force at its disposal the Government is practically unable to enforce the exclusion of the Chinese under the terms of the law.

The letter of the Secretary of the Treasury (copy here inclosed), dated December 9, 1885, explicitly states that "the appropriation heretofore made by Congress for carrying out the requirements of said act is entirely exhausted, and that at present it is impracticable for the Department to take any measures other than those already taken to prevent the landing and entrance of unauthorized Chinese laborers in United States territory."

I may be permitted to urge the view which is naturally taken by American residents of the Pacific coast, that it is important to have that country settled by free American laborers, who have respect for the institutions and laws of our country, who will establish permanent homes, and who will rear their families and train their children to have proper respect for labor in even its humblest sphere.

The presence of Chinese in large numbers has heretofore been necessary, perhaps, in prosecuting works of great magnitude, like our transcontinental railways, at a time when no other laborers could be procured in sufficient numbers; and even now this class of labor is being used in the construction of the Cascade Branch of the Northern Pacific Railroad. But the hiving of hordes of Chinese in the towns is thought to interfere with the healthy growth and development of society, and is a constant source of uneasiness and dissatisfaction to the white laborer. Its effects are seen in bringing reproach upon certain kinds of humble but honorable occupation.

The Chinese rarely have families; they generally reside in disreputable quarters; they do not consider themselves permanent residents of our country; they live with as meager expenditure as possible and send their surplus earnings abroad to their own country.

In cases of interference with the rights of Chinese the courts have done all that was possible to protect them; and in compliance with the terms of the treaty, with your instructions, and with the request of the Secretary of State, I, as the executive of the Territory, have exerted every lawful power to insure their safety.

Mr. President, the fact is that I then became satisfied of the great injury to our own people from the presence of Chinese in any considerable numbers, and that to promote domestic tranquillity it was necessary that our Government adopt more vigorous measures than it had ever adopted then or has adopted since to enforce the exclusion of Chinese.

The first point I make is the inefficiency of our Government in carrying out the provisions of the laws which have already been enacted. Every year since 1884 the attention of the Government has been called to the nadequacy of the customs force on the northern frontier for the enforcement of the acts for the restriction of Chinese immigration.

During this time the facilities for the introduction of Chinese have been largely increased by reason of the establishment of a regular line of steamers between China and British Columbia, and by the opening of railroads and other avenues of travel on land between British Columbia and the United States; yet the customs force in the collection districts along the northern frontier has not been perceptibly increased, and the reason for this failure to increase the customs force is alleged to be, and undoubtedly is, the lack of money which should have been appropriated for the purpose.

I have no sympathy with demagogy in any form, and it seems to be demagogy of the most arrant kind for the representatives of the United States in Congress assembled to inveigh against Chinese, and to pass act after act for the alleged purpose of their exclusion from this country, when at the same time that Congress fails to provide a reasonable sum of money to enable the law to be efficiently executed.

The same relative conditions that prevailed several years ago prevail now; and all this talk about increasing the stringency of the provisions is nonsense unless Congress will provide the necessary money to increase the customs force along the frontier and to purchase steam launches for the interception of boats that are engaged in running Chinese into the United States by way of the Straits of Fuca and Puget Sound. I believe the Government has authorized the construction of one steam vessel for that

purpose, but up to this time no such vessel is in service, although so urgently needed.

Mr. Charles B. Woods, special deputy collector for the district of Puget Sound, says, on page 64 of the report of the special committee on Chinese immigration, in answer to the question:

How many are there of them [inspectors]?

There are about twelve inspectors.

Q. Have you enough force to effect the carrying out of these laws?

A. No, sir; not half enough, not one-third enough.

Q. How many men would you require?

A. Well, we could use sixty people very nicely in this district and keep them busy all the time. I think we have thirty-six here now, including the collector and all.

Mr. DAWES. When was the testimony taken?

Mr. SQUIRE. This testimony was taken in the latter part of the month of November and the first part of December, 1890.

Q. And you think you could use sixty people altogether?

A. Yes, sir; that would make twenty-four more inspectors we would have.

I read from the report of the supervising special agent of the Treasury, dated November 7, 1891:

Until within the past few years the long line of frontier from Lake Superior to the Pacific Ocean needed but little watch-care, as the international boundary line ran through a region some hundred miles in width practically. Now all this is changed. Railways running parallel on both sides of the boundary line, intersected by other railways crossing the line, have brought with them population and constant communication between the two countries.

There are but four collection districts upon the northern frontier between the Lake of the Woods and the Pacific Ocean, a distance of about 1,100 miles, each district embracing a large territory, and the number of officers for preventive duty upon this long line of frontier does not exceed twenty, and the present customs appropriation will not admit of any material increase of this force.

The district of Puget Sound, comprising many islands within a few miles of British territory, with a long line of water front, furnishes facilities for smuggling and the clandestine introduction of Chinese, against which the customs officers have vainly contended.

Reference has been made by the honorable Senator from New Hampshire [Mr. CHANDLER] to the fact that I was engaged as chairman of the subcommittee which was instructed by Congress to make the last Congressional investigation upon the Chinese question. While I was with this committee it took testimony in six cities, namely: Spokane, Port Townsend, Seattle, Tacoma, Portland, and San Francisco. The testimony of the collector of the district on the northern frontier and of all his subordinates who

were summoned is conclusive as to the point that there is not anything like sufficient force there to carry out the provisions of the restriction act. The honorable Senator from New Hampshire has read such portions of the testimony as may be necessary to corroborate what I have stated.

There is also testimony to the fact that another law has been violated by the introduction of the Chinese on the northern frontier, namely, the alien contract-labor law.

The evidence of the deputy collector is that about 50 Chinese come into the United States by way of British Columbia each week, in violation of the restriction act. Since 1889 the British Columbian Government has charged $50 per head tax upon Chinese entering that country. The number of Chinese in British Columbia seems not to have increased.

It has been stated to me by a person high in official position in Victoria that there are about six thousand Chinese now in the province of British Columbia, of which about three thousand reside in the city of Victoria. They have some means of knowing the number of Chinese by reason of the imposition of the school tax of $3 per head annually, and the Chinese who are miners pay a tax of $5 annually to the government.

Thus it seems that the Government of British Columbia is making a nice little revenue out of this business; and the United States is the market. Of course the steamship lines from China to British Columbia get the benefit of the passage money. There seems to be established a regular business of transporting the Chinese from Victoria to the United States. This is shown on page 72 of the report, where Mr. Woods testifies as follows:

Q. Have you ever learned that white men have been engaged in bringing in these Chinese for hire?

A. Yes, sir.

Q. Have been paid for bringing them into the United States?

A. Yes, sir.

Q. Have you satisfactory evidence on that point that you know to be a fact?

A. Yes, sir; I think Judge Swan has bound over several lately.

Q. What has been done with those white men? Have they been punished in any way?

A. Yes, sir; they are up waiting for trial now; some of them have been sent up for nine months or a year.

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Q. Did you ascertain what amount had been paid for bringing in Chinese that way?

A. They pay from $25 to $50 a head.

Q. Is it an established fact that there are men engaged in that business, a regular business?

A. Yes, sir.

Q. Do you know the names of some of those men?

A. Yes, sir.

Q. Where are they living!

A. In Victoria, British Columbia.

Q. Are they people of the United States, or do they belong to British Columbia?

A. Some of them are supposed to be American citizens.

Thus we see that our officers in this district are active and vigilant, but are unable to repress the traffic for lack of men and means.

Now let us turn to another principal branch of the inquiry, namely, the difficulties which are encountered at San Francisco, where we find that our officers not only have to contend with the natural difficulties of identifying the Chinese who endeavor to come in by fraud, but they have also to contend against regular agencies in China and San Francisco, organized for the purpose of evading the law. The evidence on this point by S. J. Ruddell, inspector of customs at San Francisco, is as follows:

Q. In regard to the operation of this exclusion act, what difficulties, if any, do you, or does the customs department, meet with in carrying out the provisions of that law?

A. The difficulty is in landing the Chinese under the writ of habeas corpus by the United States courts.

Q. Describe that process.

A. Well, we understand it here, that a Chinaman who desires to come to this country can go to an agency in Hongkong and there, by depositing $170, he will receive a guaranty to be landed in San Francisco.

Q. Go to an agent in Hongkong?

A. Go to an agency in Hongkong. I believe there are several in Hongkong that take that contract.

Q. You mean men there who have connection with men here?

A. Yes, sir; there are agents in Hongkong and agents here. A man deposits $170, and his fare for the round trip is taken out of that, $52.

Q Taken out of the $170?

A. Yes, sir; when the agency in Hongkong receives a sufficient number to send on a ship, they send an invoice to an agent here, and the agent here gets the witnesses and the bondsmen ready, and swears out writs of habeas corpus for the men on the steamers that they have never seen, that they are restrained of their liberty; either that the person on board is a merchant, and entitled to land here under the law, or is a native of the United States. Citizenship is the chief claim made by persons coming here now.

Q. Do you mean to say that these statements are fabricated and untrue?

A. I am positively certain of that.

Q. In every case?

A. In about ninety-nine cases out of a hundred.

Q. Ninety-nine per cent of those cases are fraudulent?

A. Yes, sir.

Q. What do the courts decide about that?

A. I suppose they have to accept the testimony.

Q. What is the result of the investigation by the courts?

A. The result is, in the circuit court for the eleven months just ended, 67 per cent of the cases tried have been remanded.

Q. And the persons have been sent back?

A. They have not been sent back, but have been ordered sent back by the courts.

Q. That would be about two-thirds, then?

A. Yes, sir. About 14 per cent have been ordered sent back in the district court. Of that number not more than 5 per cent have been actually sent to China. The others are either appealed or they are let out on bond. The bondsmen have failed to produce the petitioners, however, in a great many cases.

Q. Are these bondsmen then sued?

A. Not as far as I know.

Q. How many of those who do land claim to be citizens?

A. About 95 per cent of those who come here without proper credentials to land.

Q. Ninety-five per cent?

A. Yes, sir. Men come here, 27 years of age, who say that they lived here until they were 15 years of age, and then went back to China. They don't remember anything about the country; don't remember a single person living here; don't know the names of any people living here; never were on the streets; never saw any Chinese children living here. That is the class of men who come here claiming to be citizens.

Q. Is there any feeling in this community, on the part of even the legal fraternity, or of the merchants, or of the laboring people, that this law is being evaded willfully and negligently on the part of the officers of the law?

A. I don't know that it is being evaded except, as I say, these Chinese who are landed on writs of habeas corpus. Occasionally a Chinaman will come here claiming to be a merchant, and will have papers from the interior, or may be from San Francisco, and we find the papers are not genuine. In cases of that kind a man is refused landing, and he usually sues out a habeas corpus writ or his friends do it for him.

The honorable Senator from Montana [Mr. SANDERS] spoke scathingly and ably and I think justly a day or two ago in regard to what appeared to him to be great laxity on the part of the courts in California; but there is one point he seems not to have understood—the figures as stated in the report of the committee in regard to the number of men that have been taken off on writs of habeas corpus. He thought it strange and that the statement was incorrect that there were over 7,000 taken off on writs of habeas corpus during the year 1888, and that only 1,992 had been taken off on writs of habeas corpus since October 1, 1888.

I would explain to the Senator from Montana that this great difference, which amazed him, is due to the operation of the last exclusion act, which went into force October 1, 1888, as he will see on page 274 of the report.

I desire to call attention to the testimony of T. J. Phelps, collector of the port, in regard to the character of Mr. Ruddell, the witness whose testimony I have just quoted:

Q. You speak of Mr. Rickards and Mr. Ruddell. I wish you would state to the committee something in regard to the relation they bear to your office and to you in these matters.

A. They are inspectors of customs assigned to this business. Mr. Rickards is specially appointed to this place as an interpreter; that is, he is assigned as an inspector, Mr. Ruddell is a regular inspector and assigned to this business.

Q. You regard the statements made by these men to you from time to time as being perfectly credible and perfectly reliable?

A. Entirely so; yes, sir.

Q. And you believe this committee can regard their statements to the committee in the same way?

A. Yes, sir; as far as Mr. Ruddell is concerned he talks from the record, and his statements are absolutely correct.

Again referring to the testimony of Mr. Phelps, I will call attention, briefly, to his statements on page 325:

As Judge McAllister has said, most of the men, the larger proportion of the men, coming now claim to be native born, because the result of a discharge of one of these men is to naturalize him. If the judgment of the court is that he is a native-born citizen, and that judgment is not appealed from, how is the fact thereafter to be disputed? I take it that the act of discharge of one claiming to be native born is in fact a naturalization of that individual if he is not a native born, and therefore it becomes a very serious matter as far as that class of business is concerned. It is not only the introduction of one more Chinaman into the United States, but it makes him a citizen, capable of exercising the elective franchise, and of holding office even of that of the President of the United States.

In another place (page 326) Mr. Phelps says that—

They (the Chinese) adopt new methods all the time. One of the methods they have been recently adopting is to claim to be merchants in out-of-the-way places and present papers signed by a greater or less number of white men stating that they were merchants and thinking that we would accept that rather than go to those places and make an investigation. Quite a large number of cases had accumulated where the parties claimed to be merchants in Stockton, Sacramento, and various places, and I think Oroville was one of the places. So I sent Mr. Rickards, when we had an opportunity to do so, to make an investigation of these cases, and he found in every single instance they were misrepresentations; there were none of them that were actual merchants.

John P. Carey, the United States attorney from November 29,

1886 to November 6, 1890, referring to habeas corpus cases where bail has been taken, says:

> I have not prosecuted these cases because I think it a useless expenditure of time and money. Therefore I have practically abandoned them.

In another place he says:

> I concluded that every one of these bondsmen where I have declined to institute civil suits are not the persons they represented themselves to be, and had nothing, and were fraudulent; that was my judgment.

He also says that since the exclusion act 70 to 75 per cent of the Chinese claim to be native born, and consequently citizens. Before that act but 5 per cent made that claim; and he recommends that at least one white witness should be required to prove native birth.

I have read thus extensively from the testimony in order that the difficulties of carrying out the exclusion act may be properly understood and dealt with by the Senate.

The great question in San Francisco is that of identification. The best legal opinion in San Francisco, so far as ascertained by the committee, is that the present law will expire in 1892. So far as I can gather from expressions of those of the Senate who have investigated this legal question, the preponderance of opinion seems to be to the same effect. We may take it for granted, then, for the purposes of our action to-day, that it is needful to pass additional legislation immediately, at least so far as relates to the reënactment of the present law; but in so doing it seems to me that we can properly add other safeguards for the purpose of identification and for the avoidance of fraud, and to add punishment by imprisonment as a deterrent.

It is very doubtful that the Senate will agree to pass the House bill as it stands. I do not believe it is necessary to increase the number of classes of Chinese that shall be excluded; that is to say, I would be willing to admit merchants, visitors, and scholars, in addition to the diplomatic and consular representatives; but if it shall be found, after further safeguards are added for the proper identification of Chinese and the prevention of fraud, that it becomes necessary to enlarge the number of classes for the sake of securing the effectiveness of the law against the

classes already excluded, then I might be willing to adopt a still more rigorous measure.

I might then go to the extent of preventing the Chinese from returning to this country at all, as proposed in the House bill; but I would only do it, if at all, for the purpose of excluding those Chinese who are already excluded by law. I am in accord with the honorable Senator from California [Mr. FELTON] in the statement he made to the Senate Thursday, which is as follows:

> The only desire which controls us in the whole bill and amendments is simply to prevent the coming of those people under the present laws into the United States; that is all.

As I understand the honorable Senator from Ohio [Mr. SHERMAN], chairman of the Committee on Foreign Relations, which committee reported the amendment to the House bill, he desires a test vote on that amendment to-day. If this amendment be carried the bill will still be open to amendment in the Senate. With this understanding I shall vote for the present amendment, believing it to be the quickest way to arrive at legislation for the reënactment of the present laws, which reënactment is urgently needed, so that it may go into effect prior to the 6th day of May, 1892.

But I believe that, in the present bill, there should be ingrafted provisions for the registration of Chinese and for the issuance of a certificate, containing a true photograph of the applicant, to each of the Chinese now in this country, or who may hereafter come here, except those engaged in a diplomatic or consular capacity.

Mr. KENNA. Can one distinguish between the Chinese so as to identify them?

Mr. SQUIRE. Oh, certainly, one can learn to distinguish between Chinese just the same as between Africans.

I would not put any indignity upon the representatives of the Chinese Government. I would establish certain requisites to be observed in the proceedings of the courts with reference to the kind of bail to be given and the character of the bailor. In accordance with the recommendation of the district attorney at San Francisco, I would legislate that at least one white witness shall be required to prove native birth.

It may also be practicable to provide that no agent for any transportation line in the United States shall sell tickets or furnish transportation by any railroad, steamboat, stage line, or other vehicle to any Chinese who is not provided with a certificate as before mentioned. It may also be proper to define the word "merchant" and the word "traders" as applicable to the Chinese, in order to prevent fraud by reason of misrepresentations on that point.

I would not exclude any who are merchants in the proper sense of the term; but those laborers who, in preparing to depart from the United States for China, are in the habit of paying a small amount of money into some Chinese mercantile firm, so that they may pretend to be partners and merchants, for the purpose of evading the law, should not be allowed to take advantage of this false pretense to enable them to return to this country.

Much has been said about the value of our trade with China, and much, too, about the prospect of the breaking off of relations between our Government and the Government of China. Mr. President, the American people have already taken a great stand on this question, and one that redounds to our credit. The question of immigration—as to who shall hereafter be entitled to come from foreign countries to reside in the United States—is one that has not yet been fully worked out; there are likely to be other acts of exclusion placed upon our statute books.

That immigration which threatens the direst results of all, the immigration from China, has been measurably stopped. Think what the results would have been had there been no exclusion act of 1882, of 1884, and of 1888. Probably, instead of there being 200,000 or 300,000 Chinese in this country, we would have had by this time a million or more Chinese in our midst, with all of their demoralizing influences.

It is true that the Pacific coast has thus far felt the burden of this evil. The Pacific coast is being rapidly peopled by former citizens of the Eastern, Middle, Western, and Southern States. In many places the schools and churches and other institutions of society in the State of Washington remind one of the same class of institutions in the New England States. You have no

right to imperil the society of that region of the Union, even though you do not feel the results yourselves.

As to trade, we on the Pacific coast are not limited to China. We have a great and growing trade with many other parts of the world, and thus far the greater part of the trade is with the countries along the Pacific coast of America, with Australia, Japan, and the islands of the Pacific, and with England; and when the Nicaragua Canal is completed we hope to supply the Atlantic coast of America with many productions, such as merchantable timber, which we have in vast quantities, and which it is not now profitable to ship around Cape Horn.

But I do not believe that the enactment of these proposed amendments will affect the diplomatic attitude of the Government of China any more than do the laws which have already been passed. That Government seems to have tacitly accepted the situation as it is now. I would do nothing which can justly aggravate it. There are at least a hundred times as many Chinese in the United States now as there are Americans in China—at least 200,000 Chinese here and not 2,000 Americans there. Only the treaty ports, twenty-four in number, I believe, are open to us and to England, unless a special permit be obtained to travel to the interior. In our country the Chinese can travel wherever they please and occupy a seat or a berth in a Pullman car alongside of you or me, as I have known in my own experience

Trade is a matter of money-getting prompted by the self-interest or selfishness of the individual, firm, or company. Traders will trade where they can make the most money, and it is folly to suppose that the Chinese will miss the opportunity of continuing to sell us what they can, whether it be $19,000,000 worth of goods per annum, or a greater or less amount; and they will take from us that which they regard to be the best and the cheapest.

The people of the States of Washington and Oregon are engaged in shipping flour from their own mills to China, which flour goes in bond through Vancouver, in British Columbia, and we shall soon have our own direct line of steamers from Puget Sound to Hongkong, the great British port of China, from which the distribution of trade is largely made.

I say, then, stand up for American manhood and the institutions of our society; and let us not be cheated out of what we know to be right by any tempting seductions about possible future trade, which we are sure to get anyway, if we deserve it; but it would be better for us never to buy or sell another dollar's worth with the Chinese than that our people shall become vitiated and labor put in an unequal and demoralizing competition with such a class as Chinese laborers have proved themselves to be.

Let us be kind, just, and firm with the Chinese, as a nation and as a people. Let us encourage legitimate trade in every proper manner, but give the nations of the earth to understand that we take no step backward in the matter of citizenship. Our standard is not to be lower, but higher. America for Americans and for those who adopt our institutions, who assimilate with us and become a part of our great national fabric.

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